



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
STEPHEN F. GASS and DAVID A. FANNING

Date: September 2, 2004

Serial No.: 10/052,273

Examiner Boyer D. Ashley

Filed: January 16, 2002

Group Art Unit 3724

For: POWER SAW WITH IMPROVED SAFETY SYSTEM

To: Commissioner for Patents
Attention: Examiner Boyer D. Ashley
Group Art Unit 3724
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants received a Notice of Allowance mailed June 2, 2004 for the above-identified patent application. In the Notice, the Examiner allowed claims 5-24. The Examiner also said a special note should be included regarding a co-pending application. Specifically, the Examiner said claims in the present application and in a co-pending application appear almost identical, and he characterized one set of claims as broader. Applicants agree with the Examiner's conclusion regarding the patentability of the claims in the present application, without necessarily agreeing with or acquiescing in the Examiner's other statements.

As an example, Applicants disagree with the Examiner's statement: "The limitation 'configured to urge the pivot arm away form [sic] the base assembly' effectively reads on 'configured to stop movement of the pivot arm toward the base assembly,' that is, if the pivot arm is urged away from the base assembly then the movement of the pivot arm is also stop [sic] from moving toward the base assembly."

Office Action, 2. A reaction system configured to urge a pivot arm away from a base

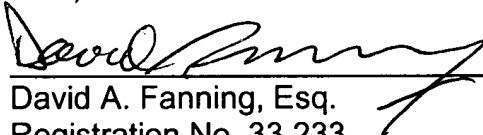
assembly does not require or necessarily result in stopping the movement of the pivot arm. Expressed more generally, a force can urge a moving body away without stopping the moving body. For example, a wind blowing against the windshield of a moving car will urge the car away, but will not necessarily stop the car. Thus, applicants disagree with the Examiner's statement.

Applicants are submitting these comments concurrently with the payment of the issue fee. Applicants are also submitting several replacement drawings sheets concurrently with the payment of the issue fee.

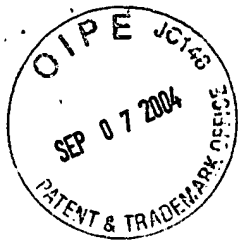
If the Examiner has any questions or wants to discuss this matter in more detail, the Examiner is invited to contact Applicants' undersigned attorney at the number listed below.

Respectfully submitted,

SD3, LLC

A handwritten signature in black ink, appearing to read "David A. Fanning", is written over a horizontal line.

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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to number (703) 872-9306, attention Examiner Boyer D. Ashley, on the date shown below.

Date: September 2, 2004



David A. Fanning